

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

ALICE BERGER,

Plaintiff,

v.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION,

Defendant.

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No. 5:16-cv-06557

ORDER

AND NOW, this 24th day of April, 2018, upon consideration of Defendant's Motion to Dismiss Count IV of the Amended Complaint, ECF No. 31, and for the reasons set forth in the Opinion issued this date, it is **ORDERED** that Defendant's Motion, ECF No. 31, is **DENIED**.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.

JOSEPH F. LEESON, JR.

United States District Judge